

BASBANES & CHENELLE

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August 29, 2005

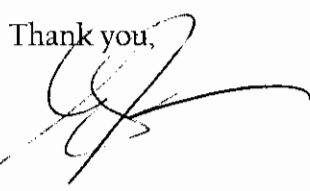
Ms. Zita Lovett, Case Manager for
U.S. District Judge Joseph L. Tauro
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

RE: MOUNTAIN PEAKS FINANCIAL SERVICES, INC. v. PHILIP B. MCADAM
CIVIL ACTION NO.: 2005-10530-JLT

Dear Ms. Lovett:

I have received a notice of the scheduling conference to be held in Courtroom 20 on October 3, 2005 at 11:15 a.m. Please be advised that I will be on trial in the Hillsborough Superior Court in Nashua, New Hampshire on a criminal matter which has been scheduled for some period of time. I would request that this matter be rescheduled for a later date in October. I am enclosing a copy of the assignment of trial notice in the matter State v. Earl Knipfer.

Thank you,



George J. Basbanes

GJB:scp
Enclosure

cc: Client
Richard W. Gannett, Esq.

STATE OF NEW HAMPSHIRE
HILLSBOROUGH-SOUTH, SS

SUPERIOR COURT

NOTICE OF DECISION

RECEIVED
JUL 29 2005

George Basbanes, Esq.
648 Central St.
Lowell MA 01852

State v. Earl Knipfer

Docket #'s:
04-S-0843; 0844; 0845; 0846; 0847; 0848

Please be advised that on 7/05/2005 Judge Lynn made the following order relative to:

Other ; Granted

Motion to schedule trial date

"After a hearing on the record, it is hereby ordered that this case shall be specifically listed for trial on 10/3/05. The trial management conference now set for August 18, 2005 is cancelled and shall be rescheduled."

07/28/2005

Marshall A. Buttrick, Clerk
30 Spring Street
Nashua, NH 03061-2072
603-883-6461

cc: Earl Knipfer
Patricia Benner, PLLC
Timothy E Bush Esq
County Attorney/Roger C Chadwick J

RECEIVED
JUL 29 2005

THE STATE OF NEW HAMPSHIRE
SUPERIOR COURT
SOUTHERN DISTRICT OF HILLSBOROUGH COUNTY

TRIAL SCHEDULING ORDER

Docket No. 04-S-843

Through

AMENDED DATES

04-S-848

STATE v. EARL KNIPFER

TRIAL MANAGEMENT CONFERENCE: September 30, 2005 at 9:00 AM

JURY SELECTION: October 3, 2005 at 9:00 AM

TRIAL ASSIGNMENT: At the conclusion of jury selection, each case shall be assigned a date for commencement of trial during the two week period following jury selection.

Rule 98: Discovery shall be completed and all pretrial motions filed in accordance with the requirements of Superior Court Rule 98.

Plea Negotiations: Plea negotiations shall be completed prior to the trial management conference. The State shall provide the Defendant with a good faith plea offer not later than thirty-five (35) days from the date of arraignment or in the case of a misdemeanor appeal, twenty-five (25) days from the entry of the appeal.

Trial Management Conference: At the trial management conference, counsel must certify that the case is ready for trial and that all witnesses have been notified of the trial date and are available. No negotiated disposition will be accepted after this date, and the case will be tried or disposed of by naked plea. Voir dire requests and witness lists shall be filed not later than the trial management conference.

Failure to Appear: Counsel and the defendant shall be present for all hearings, the trial management conference and trial unless otherwise ordered by the Court. **FAILURE OF THE DEFENDANT TO APPEAR IN PERSON WILL RESULT IN THE FORFEITURE OF BAIL AND THE ISSUANCE OF AN ORDER FOR HIS/HER ARREST AS WELL AS THE IMPOSITION OF A \$50 ADMINISTRATIVE PROCESSING FEE.** Misdemeanor appeals will have bail forfeited and the case remanded to the District Court for disposition. The Defendant must notify the Court of all address changes.

BY ORDER OF THE SUPERIOR COURT

Marshall A. Buttrick, Clerk

30 Spring Street

Nashua, NH 03061-2072

(603) 883-6461

MAB/emf

Date Issued: July 28, 2005

cc: Roger Chadwick, Esq. - ACA

Paula Philbrook, Esq. - ACA

George Basbanes, Esq.

Timothy Bush, Esq.

Patricia Benner, Esq.

Earl Knipfer, 105 Currier Rd. Pelham, NH 03038